

I. WASHINGTON BASIC FOOD PROGRAM

Purpose: The Washington Basic Food Program (Basic Food) helps low-income individuals and families obtain a more nutritious diet by supplementing their income with Basic Food benefits.

There are two funding sources of Basic Food:

- The federal food stamp program through the United States Department of Agriculture, Food and Nutrition Services (FNS); and
- The Washington State General Fund. The general fund provides Basic Food benefits to immigrants who are not eligible for federal benefits due to welfare reform or because they do not meet certain immigrant eligibility requirements for the federal food stamp program.

Effective April 1, 2003

WAC 388-400-0040 Am I eligible for benefits through the Washington Basic Food program?

The Washington Basic Food Program (Basic Food) is a nutrition program to help low-income individuals and families buy food. This rule is a summary of the rules for Basic Food.

- (1) When you apply for Basic Food, we decide who is in your assistance unit (AU) based on the requirements under WAC 388-408-0035.
- (2) To be eligible for Basic Food benefits, your AU must meet the eligibility requirements of the most current version of the Food Stamp Act of 1977.
- (3) To be eligible for federal Basic Food benefits, each AU member must:
 - (a) Be a U.S. citizen or national as described under WAC 388-424-0005; or
 - (b) Meet the alien status requirements for federal benefits described under WAC 388-424-0020.
- (4) An AU member who is not eligible for federal benefits may be eligible for state-funded Basic Food benefits if they meet the requirements described under WAC 388-400-0045.

- (5) To be eligible for federal or state Basic Food benefits, each AU member must:
- (a) Be a resident of the state of Washington as required under WAC 388-468-0005;
 - (b) Meet the citizenship or alien status requirements of either WAC 388-424-0020 or 388-424-0025;
 - (c) Provide their Social Security number as required under WAC 388-476-0005;
 - (d) Provide proof of identity as required under WAC 388-490-0005;
 - (e) Participate in the food stamp employment and training program (FSE&T) as required under chapter 388-444 WAC; and
 - (f) Meet the eligibility criteria for strikers as described under WAC 388-480-0001.
- (6) To be eligible for Basic Food, your AU must:
- (a) Have countable income at or below gross and net income standards as described under WAC 388-478-0060; and
 - (b) Have countable resources at or below your AU's resource limit under WAC 388-470-0005.
- (7) If your AU has income under the gross income standard, we deduct certain expenses from your income under WAC 388-450-0200 before we calculate your Basic Food benefits.
- (8) If an eligible person in your AU is elderly or disabled, some rules may help your AU to be eligible for Basic Food or to get more Basic Food benefits. These include:
- (a) Resources limits and excluding certain resources under chapter 388-470-WAC;
 - (b) An excess shelter deduction over the limit set for AUs without an elderly or disabled individual under WAC 388-450-0190;
 - (c) A deduction for out-of-pocket medical expenses for the elderly or disabled individual if they are over thirty-five dollars a month under WAC 388-450-0200; and

	(d) Being exempt from the gross income standard under WAC 388-478-0060.
(9)	For Basic Food, elderly means a person who is age sixty or older;
(10)	For Basic Food, disabled means a person who:
	(a) Gets SSI;
	(b) Gets disability payments or blindness payments under Title I, II, XIV, or XVI of the Social Security Act;
	(c) Gets disability retirement benefits from a state, local or federal government agency because of a disability considered permanent under section 221(i) of the Social Security Act;
	(d) Gets disability benefits from the Railroad Retirement Act under sections 2 (a)(1)(iv) and (v) and:
	(i) Meets Title XIX disability requirements; or
	(ii) Is eligible for Medicare.
	(e) Receives disability-related medical assistance under Title XIX of the Social Security Act;
	(f) Is a veteran and receives disability payments based on one hundred percent disability;
	(g) Is a spouse of a veteran and:
	(i) Either needs an attendant or is permanently housebound; or
	(ii) Has a disability under section 221(i) of the Social Security Act and is eligible for death or pension payments under Title 38 of the USC.
(11)	If a person in your AU attends an institution of higher education and does not meet the requirements to be an eligible student under WAC 388-482-0005, we do not consider this person as a member of your AU.
(12)	If your AU lives on or near an Indian reservation and participates in a tribal food distribution program approved by Food and Nutrition Service (FNS), your AU is not eligible for Basic Food benefits.
(13)	If an AU member is ineligible for any of the following reasons, we count the ineligible

person's income as described under WAC 388-450-0140:

- (a) Able-bodied adults without dependents who are no longer eligible under WAC 388-444-0030;
- (b) Persons convicted of a drug-related felony or fleeing a felony prosecution, conviction, or confinement under WAC 388-442-0010;
- (c) Persons who do not attest to citizenship or alien status under WAC 388-424-0005;
- (d) Persons who are ineligible aliens under WAC 388-424-0020;
- (e) Persons disqualified for an intentional program violation under WAC 388-446-0015;
- (f) Persons who do not provide a Social Security number when required under WAC 388-476-0005; or
- (g) Persons who failed to meet work requirements under chapter 388-444 WAC.

WAC 388-400-0045 If I am not eligible for federally-funded benefits through Washington Basic Food Program because of my alien status, can I receive state-funded Basic Food?

- (1) If you are not eligible for federally-funded Basic Food benefits because you do not meet the alien status requirements under WAC 388-424-0020, you may be eligible for state-funded Basic Food if you meet both of the following requirements:
 - (a) You are a Washington state resident; and
 - (b) You meet the immigrant eligibility requirements under WAC 388-424-0025.
- (2) State-funded Basic Food follows the same eligibility rules as federally-funded Basic Food except for rules related to alien status. A summary of the rules for Basic Food is found in WAC 388-400-0040.
- (3) Some assistance units (AUs) may receive a combined benefit of both state and federal Basic Food benefits. Your AU's maximum allotment of Basic Food benefits is found under WAC 388-478-0060.

See Appendix I for a list of the tribes that participate in the federal Food Distribution Program ("commodities") making them ineligible to participate in the Washington Basic Food Program.